

SP 19.3 Set Asides and Non-Competitive Awards

Substantive changes made for the 3-27-06 version:

1. Changes the title of the SP from *Set Asides* to *Set Asides and Non-Competitive Awards* and revises the PURPOSE section accordingly.
2. Modifies the POLICY section to add the phrase “two or more”.
3. Clarifies the SCOPE section to say that the SP also applies to purchase card transactions.
4. Adds a definition for “Fair Market Price”.
5. Updates the definition of “SB Concern”, followed by a reference to SP 19.1 where definitions for each of the SB Concern categories are located.
6. Changes the “**General**” section to read “**SB Set Asides, General**”.
7. Makes the following changes in the “**SB Set Asides, General**” section:
 - a. Adds a new paragraph at the beginning.
 - b. Deletes a sentence that read “*Purchases of \$50,000 or less can be awarded to small business on a non-competitive basis.*” from the second paragraph.
 - c. Adds the paragraph that reads, “*The reason why a subcontract exceeding \$25,000 was not set-aside for SB concerns must be documented.*”.
 - d. Adds the last paragraph concerning SDVOSB concerns.
8. Deletes Laboratory-specific instructions that related to LLNL and LANL throughout the SP.
9. Changes the “**Construction Subcontracts**” section to read, “**SB Set-Asides – Construction Subcontracts**”.
10. Adds a section entitled “**Non-Competitive Awards**”, which includes the following sub-sections:
 - a. “**SB Concerns**”, which is new.
 - b. “**HUBZone (HZSB SB Concerns)**”, which is new.
 - c. “**Service-Disabled Veteran-Owned SB Concerns (SDVOSB)**”, which is new.
 - d. “**8(a) Concerns**”, which has been modified to include new dollar thresholds.
 - e. “**Exceptions**”, which is new.
11. Makes the following changes to the “**Other Requirements Applicable to Set-Asides**” section:
 - a. “**Notice of Intent**” now says, “*Offerers must be notified...*” It previously said “*should*”.
 - b. “**Only One Response**” has the added phrase, “*... under a competitive set-aside solicitation...*”.
 - c. “**Unqualified Businesses**” has the added phrase, “*...modified to remove the set-aside restriction and...*”, and deletes a sentence that said, “*Accepting an offer from an unqualified business will disqualify the subcontract as a set-aside.*”.
 - d. “**Coding**” adds the sentence, “*All SB set-aside awards qualify for coding as a SB concern.*” and adds the final sentence, “*Only non-competitive awards of \$100,000 or less may be coded as a SB set-aside.*”.
12. Deletes the CLAUSES section which required the inclusion of a FAR clause in all set-asides for SB concerns.
13. In REFERENCES, updates the prime contract numbers and appendix to be consistent with Contract 31, and adds the DOE Acquisition Letter.